

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-116-E - ORDER NO. 90-642
JULY 5, 1990

IN RE: Application of South Carolina Electric)
and Gas Company for Proposed Extension) ORDER
of Service in Aiken County)

On February 15, 1990, South Carolina Electric and Gas Company (SCE&G) filed a Petition with the Public Service Commission of South Carolina (the Commission) pursuant to Commission Regulation 103-304(1) for the extension of an existing distribution line in Aiken County across territory assigned to Aiken Electric Cooperative, Inc. (the Cooperative). That request concerned a line necessary to provide electric service to Stratford Hall, a residential subdivision within the city limits of Aiken. According to SCE&G, Aiken municipal ordinances require that SCE&G serve this development and the developer requested service from SCE&G. The Cooperative filed a response in opposition to SCE&G's Petition.

On March 14, 1990, SCE&G requested a partial waiver of the requirements of 103-304(1) pursuant to Regulation 103-301(3) as they applied to that distribution line. SCE&G requested that the Commission waive the requirement of prior Commission approval for the construction of this line due to the fact that construction service on the site was required at the beginning of April. SCE&G

requested this waiver pending the final resolution of any proceedings concerning the approval of this line on the merits. SCE&G expressly agreed to remove the line in question if upon final resolution of those proceedings the approval requested had been denied. The Commission heard oral arguments on the Petition, then granted the partial waiver in Commission Order No. 90-336 and set a hearing on the merits of the Petition for July 25, 1990.

On May 18, 1990, SCE&G requested permission to amend its February 15, 1990 filing, to request approval pursuant to §103-304(1) to construct a line to serve Woodside Plantation, Phase II, another subdivision in the City of Aiken. The new line would be built from the Company's existing line on South Carolina Highway 19. It would be built along SCE&G's existing transmission line which crosses S. C. Highway 19 and remain entirely within existing transmission right-of-way while crossing assigned territory of the Cooperative. Construction power for the subdivision will be required on or about August 1, 1990. SCE&G therefore also requested a partial waiver of the requirements of §103-304(1) pursuant to §103-301(3) as they apply to this distribution line pending final resolution of the proceedings on the merits. SCE&G again expressly agreed to remove the line in question if upon final resolution of these proceedings, the approval requested is denied. The Cooperative filed a response to SCE&G's May 18, 1990 filing in opposition. The Commission determined that oral arguments should be held on June 26, 1990 at 2:30 p.m.

The Commission finds that SCE&G's earlier pleading should be

amended to add the request for the construction of a line to serve Woodside Plantation, Phase II. The Commission also grants the partial waiver requested by SCE&G. The Commission finds that the partial waiver is in the public interest because construction service to the site is required on or about August 1, 1990 and there is a city ordinance authorizing SCE&G only to serve in the annexed area. The Commission makes no finding at this time as to which party has the legal right to serve in the area in question. A hearing on the merits will be held on July 25, 1990 at 10:30 a. m.


IT IS THEREFORE ORDERED:

1. That SCE&G's February 15, 1990, Petition is amended to include the request for approval of the construction of a line to serve Woodside Plantation, Phase II.

2. That the partial waiver of Regulation 103-304(1) requested by SCE&G is granted.

3. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director

(SEAL)